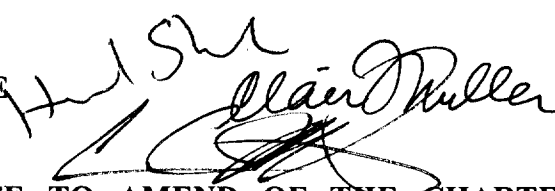


AN ORDINANCE
BY

06-○-1336


AN ORDINANCE TO AMEND OF THE CHARTER OF THE CITY OF ATLANTA, GEORGIA, ADOPTED UNDER AND BY VIRTUE OF THE AUTHORITY OF THE MUNICIPAL HOME RULE ACT OF 1965, O.C.G.A SECTION 36-35-1. ET SEQ., AS AMENDED, SO AS TO AMEND THE CHARTER OF THE CITY OF ATLANTA, GEORGIA, 1996 GA LAWS P. 4469, ET SEQ., BY AMENDING ARTICLE 6, CHAPTER 1, SECTION 6-101 (f) (g) (h) TO PROVIDE THE CITY WITH THE DISCRETION TO CHARGE FRONTAGE FEES; TO REPEAL CONFLICTING ORDINANCES; AND FOR OTHER PURPOSES.

WHEREAS, the City of Atlanta ("City") is responsible for the removal of garbage and solid waste from residential dwellings within the City limits; and

WHEREAS, Section 6-101 of the City Charter prescribes the general powers of taxation of the City; and

WHEREAS, a fee for solid waste as well as a per foot fee for paved and unpaved frontage is assessed against property owners in the City; and

WHEREAS, the City of Atlanta desires flexibility in assessing front footage fees against property owners.

THE CITY COUNCIL OF THE CITY OF ATLANTA, GEORGIA HEREBY ORDAINS as follows:

SECTION 1: That Article 6, Chapter 1, Section 6-101 (f) of the Charter of the City of Atlanta which reads:

(f) The governing body shall be authorized to assess, levy, and impose taxes on lots and lot owners for sanitary purposes in such amount, rates, or methods of assessment and taxation; provided, further, the governing body shall be authorized and empowered to collect such taxes by execution against the lot so assessed and the owner thereof and provide for the use of such proceeds. The amount so assessed shall be a lien on the lot from the date of the assessment. The governing body shall be authorized to prescribe what should constitute a lot for sanitary purposes and assessment; provided, however, that assessment shall be made on vacant lots as follows: A front footage fee shall be assessed in accordance with the zoned property category, residential, apartment, or commercial, and no unit fee shall be assessed. Resident lots shall not be subdivided or assessed separately except where they have two or more houses used or intended for use as separate tenements built upon them, in which case a sanitary assessment maybe levied against the lot for each house situated thereon.

Be hereby amended to read as follows:

(f) The governing body shall be authorized to assess, levy, and impose taxes on lots and lot owners for sanitary purposes in such amount, rates, or methods of assessment and taxation; provided, further, the governing body shall be authorized and empowered to collect such taxes by execution against the lot so assessed and the owner thereof and provide for the use of such proceeds. The amount so assessed shall be a lien on the lot from the date of the assessment. The governing body shall be authorized to prescribe what should constitute a lot for sanitary purposes and assessment; provided, however, that assessment shall be made on vacant lots as follows: A front footage fee may be assessed in accordance with the zoned property category, residential, apartment, or commercial, and no unit fee shall be assessed. Resident lots shall not be subdivided or assessed separately except where they have two or more houses used or intended for use as separate tenements built upon them, in which case a sanitary assessment maybe levied against the lot for each house situated thereon.

SECTION 2: That Article 6, Chapter 1, Section 6-101 (g) of the Charter of the City of Atlanta which reads:

(g) The governing body of the city, in addition to being authorized to assess, levy, and impose taxes for sanitary purposes, as set forth hereinabove in subsection (f), shall be authorized to charge fees for the collection, removal or disposal, or both, of all solid waste except body wastes, ashes, street cleanings, dead animals, abandoned automobiles, and market and industrial wastes, such fees to be charged against the owners or, when not owner-occupied, against the occupants, tenants, or lessees of the premises from which the fee is collected, and from which such waste is removed or disposed of, or both, from which collection and removal services are made available. The amount of such fees may depend upon the amount, weight, or volume of collections and whether collected from residential, commercial, industrial, or other property.

be hereby amended to read as follows:

(g) The governing body of the city, in addition to being authorized to assess, levy, and impose taxes for sanitary purposes, as set forth hereinabove in subsection (f), may be authorized to charge fees for the collection, removal or disposal, or both, of all solid waste except body wastes, ashes, street cleanings, dead animals, abandoned automobiles, and market and industrial wastes, such fees to be charged against the owners or, when not owner-occupied, against the occupants, tenants, or lessees of the premises from which the fee is collected, and from which such waste is removed or disposed of, or both, from which collection and removal services are made available. The amount of such fees may depend upon the amount, weight, or volume of collections and whether collected from residential, commercial, industrial, or other property.

SECTION 3: That Article 6, Chapter 1, Section 6-101 (h) of the Charter of the City of Atlanta which reads:

(h) All public property exempt from taxation by the city by law shall likewise be exempt from all assessments, levies, and taxes specified under subsection (f) above. All fees for services charged against any such property as specified in subsection (g) above shall be due and payable when billed in due course by the city.

be hereby amended to read as follows:

(h) All public property exempt from taxation by the city by law shall likewise be exempt from all assessments, levies, and taxes specified under subsection (f) above. All fees for services charged against any such property as specified in subsection (g) above may be due and payable when billed in due course by the city.

SECTION 4: That all ordinances and parts of ordinances in conflict herewith are hereby repealed to the extent of the conflict.

Exhibit "A"

"Notice of Proposed Amendment to the Charter of the City of Atlanta, Georgia"

Notice is hereby given that an ordinance has been introduced to amend Section 6-101 (f)(g) and (h) of the Charter of the City of Atlanta, Georgia (1996 Ga. L. (Act No. 1019), p. 4469, et. seq.) as amended, so as to provide the City with the discretion to charge frontage fees; and for other purposes.

A copy of the proposed amendment is on file in the office of the Municipal Clerk of the City of Atlanta and in the offices of the Clerks of the Superior Courts of Fulton and DeKalb Counties, Georgia, for purposes of examination and inspection by the public. This ____ day of _____, 2006.

Rhonda Dauphin Johnson
Municipal Clerk
City of Atlanta

TRANSMITTAL FORM FOR LEGISLATION

TO: MAYOR'S OFFICE

ATTN: GREG PRIDGEON

Legislative Counsel (Signature): Simone D. Brathwaite 

Contact Number: x 6310

Originating Department: Finance

Committee(s) of Purview: Finance/ Executive

Council Deadline: May 30, 2006

Committee Meeting Date(s): May 30-31, 2006 Full Council Date: June 5, 2006


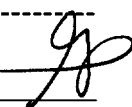
Commissioner Signature see attached

CAPTION

AN ORDINANCE TO AMEND OF THE CHARTER OF THE CITY OF ATLANTA, GEORGIA, ADOPTED UNDER AND BY VIRTUE OF THE AUTHORITY OF THE MUNICIPAL HOME RULE ACT OF 1965, O.C.G.A SECTION 36-35-1. ET SEQ., AS AMENDED, SO AS TO AMEND THE CHARTER OF THE CITY OF ATLANTA, GEORGIA, 1996 GA LAWS P. 4469, ET SEQ., BY AMENDING ARTICLE 6, CHAPTER 1, SECTION 6-101 (f) (g) (h) TO PROVIDE THE CITY WITH THE DISCRETION TO CHARGE FRONTAGE FEES; TO REPEAL CONFLICTING ORDINANCES; AND FOR OTHER PURPOSES.

FINANCIAL IMPACT:

Mayor's Staff Only

Received by Mayor's Office: 6.2.06  (date) Reviewed by: 6/5/06  (date)

Submitted to Council: 6/5/06 (date)

06-0-1336

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AN ORDINANCE

Handwritten signature: H. S. ...

AN ORDINANCE TO AMEND THE CHARTER OF THE CITY OF ATLANTA, GEORGIA, ADOPTED UNDER AND BY VIRTUE OF THE AUTHORITY OF THE MUNICIPAL HOME RULE ACT OF 1965, O.C.G.A. SECTION 36-35-1 ET SEQ., AS AMENDED, SO AS TO AMEND THE CHARTER OF THE CITY OF ATLANTA, GEORGIA, 1996 GA LAWS P. 4469, ET SEQ., BY AMENDING ARTICLE 6, CHAPTER 1, SECTION 6-101 (f) (g) (h) TO PROVIDE THE CITY WITH THE DISCRETION TO CHARGE FRONTAGE FEES; TO REPEAL CONFLICTING ORDINANCES; AND FOR OTHER PURPOSES.

- ☐ CONSENT REFER
- ☐ REGULAR REPORT REFER
- ☐ ADVERTISE & REFER
- ☐ 1st ADOPT 2nd READ & REFER
- ☒ PERSONAL PAPER REFER

Date Referred 6/5/06
Referred To: Fm/EX
Date Referred
Referred To:
Date Referred
Referred To:
Referred To:

First Reading

Committee _____
Date _____
Chair _____
Referred To _____

Committee

Date

Chair

Action

Fav, Adv, Hold (see rev. side)

Other

Members

Committee

Date

Chair

Action

Fav, Adv, Hold (see rev. side)

Other

Members

Refer To

Refer To

Committee

Date

Chair

Action

Fav, Adv, Hold (see rev. side)

Other

Members

Committee

Date

Chair

Action

Fav, Adv, Hold (see rev. side)

Other

Members

Refer To

Refer To

- FINAL COUNCIL ACTION
- ☐ 2nd
 - ☐ 1st & 2nd
 - ☐ 3rd
 - ☐ Consent
 - ☐ V Vote
 - ☐ RC Vote

CERTIFIED

MAYOR'S ACTION